IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.13673 of 2006

DATE OF DECISION: August 29, 2006

Sh.Jagdish Chander

….Petitioner

VERSUS

Haryana Urban Development Authority and others

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S.BHALLA

PRESENT: Shri Balkar Singh, Advocate for the petitioner.

Viney Mittal,J.(Oral).

Notice of motion to the respondents.

Shri Ashok Jindal, Additional Advocate General, Haryana accepts notice on behalf of the respondents, on the asking of the Court.

The grievance made by the petitioner is that an application filed by him for the allotment of plot under the oustee's quota has been rejected only on the ground that along with the application, earnest money had not been deposited by the petitioner. However, from the perusal of the averments made in the present petition, we find that at no point of time the price of the plot had been fixed. In these circumstances, the petitioner obviously could not be expected to deposit any earnest money.

Consequently, we dispose of the present petition and it is directed that the Estate Officer, Haryana Urban Development Authority, Sonepat shall reconsider the claim of the petitioner. If the petitioner is required to deposit any earnest money, the same shall be communicated to the petitioner and thereafter, his claim shall be considered in accordance with law.

The necessary process in this regard shall be completed by the Estate Officer, within a period of three months from the date a certified copy of this order is received.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

August 29,2006
KD

(H.S. Bhalla)
Judge